ORDINANCE NO. 7

Series 1954.

AN ORDINANCE

(1) AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE PROPER INSTRUMENTS OF CONVEYANCE OF REAL PROPERTY OWNED BY THE CITY OF ELGIN,
(2) AUTHORIZING THE CITY RECORDER TO PAY THE CONSIDERATION FOR SAID REAL PROPERTY,
(3) THE COST OF ACQUIRING TITLE INSURANCE FOR THE SAME AND FOR CONVEYING THE SAME,
(4) ACCEPTANCE BY THE CITY OF ELGIN OF THE CONVEYANCE OF CERTAIN REAL PROPERTY IN EXCHANGE FOR THE ABOVE CONVEYANCE, and
(5) DECLARING AN EMERGENCY.

WHEREAS, the garbage and refuse dump site of the City of Elgin, Union County, Oregon, was heretofore situate on the following described real property, in Union County, Oregon, to-wit:

> Lots numbered one (1), two (2), three (3) and four (4) in block numbered three (3) of SOMMER'S SECOND ADDITION to Elgin, Union County, Oregon, according to the recorded plat of said addition, and

WHEREAS, the hereinabove described garbage dump was closely situated and in the immediate vicinity of several residences; that the maintenance of said dump by the burning of refuse thereon was endangering the health and safety of said residences and creating a nuisance as to said residences, and

WHEREAS, MILTON H. CULP and GLADYS M. CULP, husband and wife, and RALPH B. KENNEDY and ETHEL HELEN KENNEDY, husband and wife, are the owners of the following described real property in Union County, Oregon, to-wit:

> Commencing at the southeast corner of the southeast quarter of southeast quarter of section 16, township 1 North, range 39 east of the Willamette Meridian; running thence west along the south line of said sub-division a distance of 1200 feet; thence north 50 feet, more or less, to the center of the main county road; thence northeasterly along the center of said road to its intersection with the east line of the southeast quarter of the southeast quarter of said section at a point approximately 630 feet north of the place of beginning; thence south 630 feet, more or less, to the place of beginning. Containing 10 acres, more or less; subject to easement for public road, and

WHEREAS, the immediately preceding described real property is situated in a suitable location for use as a garbage and refuse dump site,

NOW, THEREFORE, THE CITY OF ELGIN ORDAINS AS FOLLOWS:

Section 1. That the Mayor, REX C. ROULET, and the city recorder, A. P. MILLER, of the city of Elgin, Union County, Oregon, are hereby authorized to execute bargain and sale deed to MILTON H. CULP and GLADYS M. CULP, husband and wife, to the following described real property:

> Lots numbered one (1), two (2), three (3) and four (4) in block numbered three (3) of SOMMER'S SECOND ADDITION To Elgin, Union County, Oregon, according to the recorded plat of said addition.

Section 2. That the city of Elgin, Union County, Oregon, is hereby authorized to accept a conveyance by warranty deed from MILTON H. CULP and GLADYS M. CULP, husband and wife, and RALPH B. KENNEDY and ETHEL HELEN KENNEDY, husband and wife, to the following described real property in Union County, Oregon:

> Commencing at the southeast corner of the southeast quarter of southeast quarter of section 16, township 1 north, range 39 east of the Willamette Meridian; running thence west along the south line of said subdivision a distance of 1200 feet; thence north 50 feet, more or less, to the center of the main county road; thence northeasterly along the center of said road to its intersection with the east line of the southeast quarter of southeast quarter of said section at a point approximately 630 feet north of the place of beginning; thence south 630 feet, more or less, to the place of beginning. Containing 10 acres, more or less; subject to easement for public road.

Section 3. That the City Recorder, A. P. MILLER, is hereby authorized to pay unto the said MILTON H. CULP the sum of One hundred fifty dollars ($150.00) for the real property last hereinabove described, the said sum being the consideration to be paid in addition to the exchange by the several parties of the properties hereinabove described. The said City Recorder is further authorized to pay all costs in acquiring title insurance for the property hereinabove described as now owned by the City of Elgin, only, and in conveying said property.

Section 4. It is hereby declared that the conditions existing as heretofore described in the preamble of this Ordinance are such that this Ordinance is necessary for the immediate preservation of the public peace, health and safety, and therefore an emergency is hereby declared to exist, and that this Ordinance shall take effect on the date of its passage by the Common Council, its approval by the Mayor.

PASSED this 7th day of July 1954, by 4 councilmen voting therefor.

APPROVED this 7th day of July 1954.

Roy C. Roulet
Mayor.

Attested and filed this
7th day of July 1954.

A P Miller
City Recorder.